Criminal Misc. Application No.607 of 2001
(Old No.3993 of 1988)

**Hon'ble Irshad Hussain, J.**

None appear for the revisionist. Heard learned A.G.A. and perused the record. The petition under section 125 of the Code of Criminal Procedure was dismissed by the Additional C.J.M. Kashipur on 11.5.1987 holding that the wife-revisionist has been residing separately without any sufficient cause and was not entitled to any maintenance. The finding was based on the fair appraisal of the evidence adduced. On revision learned Additional Sessions Judge Nainital also considered the respective contentions of the parties in light of thee evidence adduced and did not find favour with the contention of revisionist-wife and dismissed the revision by the judgment and order dated 14.1.1988. Considering the concurrent findings of both the courts it is evident that there was no infirmity in the appreciation of the evidence of the parties.

Considering this there is no merit in this petition and the same is hereby dismissed.

**(Irshad Hussain, J.)**

Dated: 27.9.2003
ISB